

**UNITED STATES DISTRICT COURT**  
**for**  
**EASTERN DISTRICT OF NORTH CAROLINA**  
**WESTERN DIVISION**

**U.S.A. vs. Joseph Carnell Ballard**

**Docket No. 5:06-CR-32-4BO**

**Petition for Action on Supervised Release**

COMES NOW Dennis E. Albertson, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Joseph Carnell Ballard, who, upon an earlier plea of guilty to Bank Robbery and Aiding and Abetting; 18 U.S.C. §§ 2113(a) and 2, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on October 11, 2006, to the custody of the Bureau of Prisons for a term of 46 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 36 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
3. The defendant shall make restitution, jointly and severally, to First Citizens Bank, 100 E. Tryon Road, Raleigh, NC, in the amount of \$1,306.

Joseph Carnell Ballard was released from custody on July 1, 2009, at which time the term of supervised release commenced. On April 12, 2011, supervised release was modified by the court via waiver requiring Ballard to serve a 7 day term of home confinement in response to a positive test for cocaine and marijuana on February 17, 2011. On April 20, 2011, supervision was modified by the court once again via waiver to include Ballard's participation in 60 days of home detention with the use of electronic monitoring. This action was in response to a positive urinalysis for cocaine and marijuana on April 19, 2011.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:** On May 5, 2011, Ballard submitted a urine specimen per the Surprise Urinalysis Program which tested positive for cocaine and has been confirmed by the national lab. The offender has been an active participant in outpatient drug treatment since February 17, 2011, and reportedly desires to discontinue his use of illicit drugs. Based on Ballard's treatment efforts to date and considering his serious medical problems, it is recommended supervision be continued

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and the offender be sanctioned with 60 days in a residential reentry center where he can continue in treatment and distance himself from negative influences in the community

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall undergo placement in a residential reentry center for a period of 60 days as arranged by the probation office and shall abide by the conditions of that program during said placement.

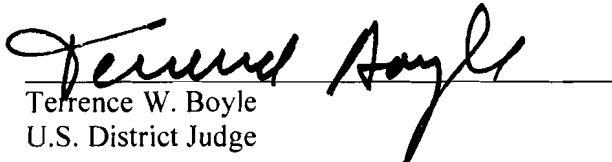
Except as herein modified, the judgment shall remain in full force and effect.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Dennis E. Albertson  
Dennis E. Albertson  
Senior U.S. Probation Officer  
413 Middle Street, Room 304  
New Bern, NC 28560-4930  
Phone: (252) 638-4944  
Executed On: June 20, 2011

**ORDER OF COURT**

Considered and ordered this 21 day of June, 2011, and ordered filed and made a part of the records in the above case.

  
Terrence W. Boyle  
U.S. District Judge